



THE CITY OF NEW YORK  
LAW DEPARTMENT

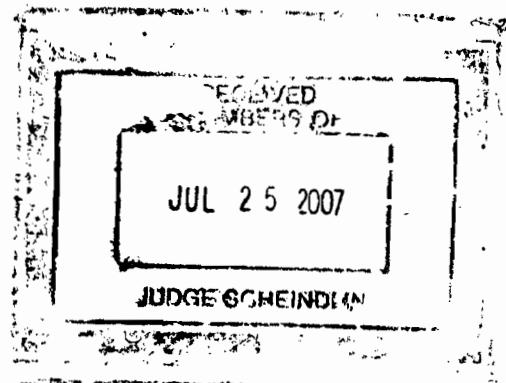
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July 25, 2007



Via Facsimile

The Honorable Shira A. Scheindlin  
United States District Judge  
Southern District of New York  
500 Pearl Street, Room 1620  
New York, New York 10007-1312

Re: Robert Johnson v. The City of York  
07 CV 4526 (SAS)(DFE)

Your Honor:

I am an Assistant Corporation Counsel in the Office of Michael A. Cardozo, Corporation Counsel of the City of New York, attorney for defendant City. Plaintiff has filed the above-referenced complaint, wherein he alleges, *inter alia*, that on November 28, 2006, he was falsely arrested and detained by New York City police officers. Plaintiff further asserts a claim for malicious prosecution. Defendant City respectfully requests an extension of the time to answer or otherwise respond to the complaint from its current due date of June 21, 2007 to September 21, 2007. It is further requested that the initial pre-trial conference, now scheduled for July 31, 2007 at 4:00 p.m. be adjourned as the undersigned is scheduled for a trial before the Judge Cedarbaum to commence on Monday, July 30, 2007. Plaintiff's attorney, Michael Roneumus, Esq., has consented to both requests.

Defendant has several reasons for seeking an enlargement of time. In accordance with this office's obligations under Rule 11 of the Federal Rules of Civil Procedure, the City requires additional time to investigate plaintiff's allegations. With respect to the false arrest and malicious prosecution charges, it is our understanding that records pertaining to the underlying criminal action, including police records, may have been sealed pursuant to New York Criminal Procedure Law § 160.50.

Additionally, plaintiff alleges that he sustained both physical and emotional injuries. Therefore, this office is in the process of forwarding to plaintiff for execution a consent and authorization for the release of pertinent sealed records, as well as medical authorizations to

obtain records pertaining to plaintiff's purported injuries. The enlargement of time will enable the City to properly assess the case and respond to the complaint.

No previous request for an enlargement of time has been made<sup>1</sup>. Accordingly, we respectfully request that defendant City's time to answer or otherwise respond to the complaint be extended to September 21, 2007. It is also requested that the initial pre-trial conference scheduled for July 31, 2007 at 4:00 be adjourned as the undersigned is scheduled for a trial before the Judge Cedarbaum to commence on Monday, July 30, 2007.

Thank you for your consideration in this matter.

Respectfully submitted,

*Joyce Campbell Priveterre*  
Joyce Campbell Priveterre (JCP 1846)  
Assistant Corporation Counsel

Via Facsimile  
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Request granted,  
Responsive pleading  
adjourned to September  
21, 2007. Initial  
pretrial conference  
adjourned to August 15  
at 4 p.m.  
So ordered:  
*Patricia J. USDJ*

<sup>1</sup> The undersigned faxed defendant's request on June 19, 2007. However, we have confirmed that this request was not transmitted due to a facsimile malfunction. As plaintiff has not yet provided any of the releases sought (for the criminal and medical records), we respectfully submit that we are unable to participate in a meaningful discussion concerning the purported allegations and defenses thereto.

7/25/07